IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 171 OF 2006

SHRI ALVITO COLACO, MARGAO-GOA. ....Petitioner

Versus

SMT. EUGENIA HENRIQUES AND ANR., ...Respondents

Mr. Rohit Bras De Sa for the petitioner.

Coram:- V.C. DAGA, J.

Date:- 9th August, 2006

P.C. :

In the present petition, the petitioner is challenging the administrative order dated 17th February, 2005 of the Registrar of the District & Sessions Court, South Court, Margaon, which is nothing but a communication of the result of the enquiry conducted on the administrative side of the Court. The petitioner was denied right to claim interest on the amount deposited pursuant to the order dated 10th April, 2004 passed by the Civil Judge, Senior Division, Margaon on the misc.application taken out in execution proceeding in Civil Suit No.292/93/A.

As a matter of fact, the petitioner ought to have challenged the order dated 20th April, 2004. Since that order has not been challenged by the petitioner; the said order has become final and conclusive. In that view of the matter, no relief can be granted in favour of the petitioner. The challenge to the communication dated 17th February, 2005 is misplaced. The petition is, therefore, without any substance and liable to be dismissed.

During the course of hearing, serious lapse on the part of the then Nazir Smt.Eugenia Henriques has come to the notice of this Court. The

District Judge, South Goa, Margao is directed to look into the matter and, if necessary, may take suitable action so as to prevent repeatation of such instances and to pass on message to the other staff members working under him.

With the above observations, petition is dismissed in limine with no order as to costs.

V.C. DAGA, J.

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